


Application Number 	Application/Control No. 09/787,394	Applicant(s)/Patent under Reexamination MIWA ET AL.	
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Date Filed : June 6, 2008	This patent is subject to a Terminal Disclaimer	

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SCH-1799

In re Application of: Naoto MIWA et al.

Application No. 09/787,394

Filed: May 16, 2001

For: NEAR INFRARED FLUORESCENT CONTRAST AGENT AND FLUORESCENCE IMAGING

The owner, Bayer Schering Pharma AG and Fuji Photo Film Co. Ltd. of 100 percent interest by virtue of an assignment document recorded on May 16, 2001 (Reel 011803/Frame 0962), in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/149,917, filed on June 17, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney of record.

/Anthony J. Zelano/
Signature

June 6, 2008
Date

Anthony J. Zelano, Reg. No. 27,969
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